

COBBETT'S WEEKLY POLITICAL REGISTER.

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SUMMARY OF POLITICS.

JACOBIN GUINEAS.—The depreciation of the paper-money, made in Threadneedle Street and in various other parts of the country, is a thing still denied by some persons, though it is notorious, that almost the whole of the metallic money has fled from the degrading society of that paper, and though it is not less notorious, that any piece of metallic money will sell for more in paper-money, than its nominal amount.—The fact of an existing traffic in guineas and other pieces of gold coin could not be doubted; but, in the following paragraph, taken from the Statesman of the 2nd instant, we have something like judicial proof of it. This proof is not, however, what interests me upon this occasion. I am interested in the fate of the man, who is here said to have been “*fully committed to take his trial,*” as a felon, for having sold some guineas at more than twenty-one shillings each.—“On Saturday, at the Mansion House, a Jew, of the name of DE YOUNGE, was charged by the Solicitor of the Mint, under an act of Queen Elizabeth, with the offence of selling the current coin of the realm, called guineas, at a higher price than the current value. By the statute in question, it is declared, that any person who shall extort, demand, or receive, for any of the current coin of the realm, more than the legal current value thereof, shall be esteemed guilty of felony. It appeared that the prisoner had sold 56 guineas, for a sum amounting to about 21s. 6d. each, or 1s. 6d. for each guinea more than the legal price and current value. Evidence being adduced to prove this case, the prisoner was *fully committed to take his trial for the offence.*”—I am persuaded, that there must be some error in this statement; but, it is not likely that it is wholly unfounded; and, if it be true only to the extent of a man's having been committed to jail for having sold guineas at a price above twenty-one shillings each; if it be true only to this extent, it is of very serious importance; and, if we are in danger of being sent to jail for making as much as we can of a

guinea, it really is high time for us to look about us pretty sharply, or, which would be the safer way, perhaps, to draw ourselves into our shells, there wait the coming of the storm, and let it rage on. What! send a man to jail, under a charge of *felony*, for having made an exchange of guineas against bank-notes, and taken the profit? It never can be. I certainly do not believe this. Robespierre put people in prison, and some he put to death, because they made a difference in their prices, taking less, for the same weight of sugar for instance, in metallic money than they took in paper-money; and this, in effect, is just the same thing as selling guineas for more than their nominal value. Robespierre made it a capital offence to shew this preference for metallic money; but Robespierre did not, by that means, prevent the paper from depreciating, though he was quite successful in driving the very semblance of metallic money out of the country; and, if I could possibly believe the above statement to be correct, I should have not the least hesitation in predicting, that the Old Lady in Threadneedle Street and her numerous family all over the kingdom, must very soon give us paper-money down to half-crowns, if not to half-pence. The Old Lady has always found abundant business for JACK KETCH; but, if the paragraph above-cited be correct, Mr. KETCH might set up his carriage and have his villa as well as the best of them.—But, it is hardly possible, that the paragraph can be correct; for, there is no such act of parliament as the one described in the paragraph. There is an act of Edward VI. and one of William III. against exchanging gold and silver money for more than their value; but, for these offences the penalty is trifling; a small pecuniary punishment merely. There is an act of Queen Elizabeth, to be sure, touching money; but, unless by a straining of the meaning, unequalled in the annals of law, it is quite out of the question to make this act apply to the case before us.—It is the act, Chapter I. of the 18th year of that Queen's reign. In the 5th year of her reign, an act had been passed, making treason (not felony) “the

"offences of *clipping, rounding, washing,* and *filig,* for wicked lucre or gain's sake," any of the Monies or Coins of the Realm, or of the Monies or Coins of other countries, suffered to be current in the kingdom; in short, of any of the monies or coins legally current. In the 18th year of her reign, it being found, that some other method, or methods, not coming strictly under either of the descriptions in the former act; namely, of *clipping, rounding, washing,* or *filig,* had been discovered for diminishing the value of the current coins, another act was passed, leaving out the words *clipping, rounding, washing,* and *filig,* and inserting in their stead, the following general description: "*any act, ways, or means, whatsoever;*" and then the prohibition ran thus: "Be it enacted, &c.—That, "if any person, &c. &c.—shall, for wicked "lucre or gain's sake, by any act, ways, or "means whatsoever, *impair, diminish, falsify, scale, or lighten, the monies, or "coins, of this realm, &c. &c. &c. he shall "suffer death, &c. &c."*—Now, except one other act, passed in the 14th year of Queen Elizabeth, against counterfeiting foreign coin, the two acts above-mentioned, are the only acts, at all relating to money, that were passed in the reign of that Queen; so that, if it be true, that the Jew in question has really been committed under an act of Elizabeth, the ground of commitment must have been different from that stated in the paragraph.—This act of the 18th of Queen Elizabeth makes it High treason to *impair or diminish,* by any act, ways, or means, the *monies, or coins, of the kingdom.* Well, then; let us see how this could possibly be twisted to apply to the act alledged against the Jew. Are Bank-notes *monies*? Because, if they are, to sell a guinea for twenty two shillings and sixpence of the said monies is certainly *one way of impairing or diminishing,* the said *monies, or the value of them,* at least.—But, then, what will become of the *country bankers,* who now exceed in numbers (counting all the partners, both pikes and gudgeons) the trampers employed in collecting the rags of which their money is made. You would send them all on board of ship, perhaps, or give them an opportunity of displaying their loyalty by enlisting into the West India Regiment. Aye; but, if the above paragraph be correct; if a man has actually been committed, as a felon, for having done an act tending to *impair the bank-*

notes, the country-bankers cannot hope to get off so lightly, seeing that they are notoriously guilty of an act of this sort as often as they set their money mills a going. However men may differ as to other points respecting the banking system, they all agree, that the greater the quantity of paper-money the less must be the *real value,* in proportion to the *nominal value,* of that money: in other words, that the paper monies which were in circulation yesterday, must have their value *diminished* by any grist of fresh ground monies put into circulation to-day. This is a proposition universally admitted. Indeed, it is almost self-evident. Hence it is, that the Old Lady in Threadneedle Street, is continually complaining of her progeny, the country money-mills and shops, while every man, who views the matter in its true light, and who has the good of his country at heart, must sincerely rejoice at the rapid increase of those mills and shops; and, for my own part, I am convinced, that the time is not far distant, when we shall see the paper-money shops exceed in number the shops of the taylor and barbers united. "Ici l'on a des As-signats, dès cent francs jusqu' à un "sous;" that is to say: "Paper-money "to dispose of here from a hundred francs "to a single half-penny." I remember seeing these words over a shop-door at Calais, in 1792; and, indeed, notifications, of this sort, were, in all the seaport towns, or towns near the coast, as common as the notifications relative to "good wine" or "good brandy;" and the makers and venders of paper-money seemed sometimes to have been so hard-pushed as to have coined up the very shirts off their backs. Well! where was the harm of this? Their shirts, poor devils, made very good money. At last, indeed, you were obliged to give a hundred pounds, for a quatern loaf, or for a couple of rabbits; but, then, the shoemaker took care to sell his shoes at five or six hundred pounds a-pair; so that, in the end, those who had sense enough to *keep possession of things of real value,* and merely to let the paper-money pass through their hands, sustained no loss, at the bursting of the bubble.—To return from this digression: can any one imagine, that, upon the above-quoted statute of Elizabeth, our country money-makers are all liable to be *tried for their lives*? Yet, I scruple not to assert, that if, upon the statute of Elizabeth, a man be liable to be tried for his life for having

sold guineas at a rate which tends to diminish the value of the paper-money, every paper-money maker in the country is liable to be tried for his life.—Let, me, however, distinctly state, that it appears to me, that there *must* be an error in the paragraph quoted from the Statesman; because, all other reasons aside, the paragraph talks of *felony*, whereas the *statute* talks of *treason*! Mercy on us, if this were law, and if the law were put in force against all the money-makers in the country, why, the very air would be poisoned with the stink of their carcasses! —I regard these money-grinders as a very useful description of persons; they are, in reality, doing more good than any other description of persons that I know of; they make little noise in their work, but their operations are sure; every inch they gain is held; there is no back-sliding in the progress of their efforts; and, which is not the least amiable circumstance, they not only appear to be, but, in general, really are, wholly unconscious of the great good they are doing.—What, then! would the STATESMAN, who is, generally, so just in his sentiments, condemn all this most populous and most useful class of active citizens to a trial for their lives? Forbid it justice! forbid it gratitude! He is labouring very hard, and very earnestly, in the cause of a reform of abuses and the extirpation of corruption; but, he is not labouring with half so much effect as they are. He is attacking the monster in front, while they, more wise than he, are labouring, and with a certainty of success, to take from that monster the very meat he feeds on.—I should like to see, in the Statesman, an explanation of the above-quoted paragraph. It must be, in its description of the law, at least, erroneous; and I am quite at a loss to discover upon what law a commitment for selling of guineas could possibly take place, unless, indeed, the guineas were sold, or exchanged, for other coin; and then, as was before observed, the crime is not *felony*, but simply an offence, punishable by a pecuniary forfeiture.—If there be, however, contrary to my opinion and my conviction, any statute, upon which a man may be punished, in any way whatever, for taking a premium upon guineas, or gold or silver coin, when exchanged against paper-money; if there be any such statute, and if such statute be put in force, it requires but a very small portion of understanding to perceive, that coin of every sort must

very shortly totally vanish out of circulation; for, the very fact, that such exchanges do take place, is a clear proof that the coin is worth more than its nominal value in paper-money; and, as *every thing will have its real worth*, the coin will either go into a hoard, or out of the country, if it be prohibited from obtaining its real worth in circulation. A guinea may be in the hands of a man, who may be unable to hoard, or to export, it; but, when out of that man's hands, it will not travel far. Probably the second or third person, into whose possession it may fall, may, from similar causes, be unable to hoard or export; but, the guinea is the last thing that the holder will part with; its progress from hand to hand thus becomes very slow; and the moment it comes into the hands of one who is able to hoard or export, away it goes from circulation entirely, because, if to sell it for its worth be a crime, it will answer the holder's purposes to hoard it, even if exportation were rendered impossible, seeing that at the rate of 1*s.* 6*d.* upon the guinea, the hoarder has nearly a year and a half's interest, at five per cent; and during that year and a-half, what are not the chances, that the guinea will become worth twice as much as it is worth now? —Oh, no! There is no way now left of keeping the gold coin, still remaining in the country, from totally disappearing; no way but that of leaving every holder of such coin to sell it at any price that he can get for it.—The country paper-money makers have, within the last two years only, doubled their number. The next year will, in all probability, double the present number. It will, at least, greatly augment it. There can be no doubt of that. Consequently, their money will continue to depreciate in an increased proportion. The depreciation must go on with an accelerated velocity. Oh! these paper-money makers are the men! What an abundance of money we shall have! Every man, of any substance, will make his own money. What a rich nation we shall be! There was a man, belonging to the Mother Shop, who, some years ago, wrote a pamphlet, entitled: "GUINEAS AN ENCUMBRANCE." Ought we not, then, to rejoice at our present situation, and our present more brilliant prospects? Of this encumbrance, at any rate, we are nearly rid; and, who knows but it may be followed by that of the "National Debt," as it is called?—When

I see a new paper-money mill set a-going, I hail the event as an additional sign of approaching good times; and, amongst all the absurd and ridiculous things that I have ever heard of, the *preference*, which some people appear to entertain for the manufactures of certain mills, appears to me to be the most absurd and ridiculous. What signifies it what mill the money comes from? What signifies it what it is made of, or whose name is upon it, so that it will pass out of your hand as soon as it comes into it? No man is, I suppose, foolish enough ever to suffer it to remain with him twenty four hours; and, that being the case, what *risk* does he run? Success, then, say I, to the money-making trade! I do not mean figuratively, but literally. The trade of making money; the mechanical operation of making money, and the vending of that money; a trade, which is regularly working on towards all those effects, which every real friend of his country wishes to see produced, and which may yet make England what she formerly was in the scale of nations.

NAPOLEON'S PROJECTS.—Under this head, in my last Number, I quoted a passage from the Morning Chronicle, in which paper Napoleon's Divorce had been spoken of as a *farce*, as an *insult* to the people of France, as *hypocritical*, and as *irreligious*. Upon this I observed, that it was no farce; that there was no sham in it; that it was a real divorce, and for a great practical purpose. I also said, and, I should think, proved, that, so far from being an insult to the French nation, that nation must necessarily feel itself flattered by the act. I said, that it could not, with propriety, be called *hypocritical*, seeing that not only was it done in the face of the world, but the motives were openly avowed and set forth, and that it was impossible not to believe, that the motives so set forth were the true motives. — Upon the charge of *irreligion*, I expressed my fear, that the Morning Chronicle had given a little into *cant*, and, having referred to the practice of obtaining divorces in England and America, I asked, *why* a divorce bill might not also be obtained in France. — As to the first three heads, the *farce*, the *insult* and the *hypocrisy*, the Morning Chronicle has made no reply; but, with respect to the *irreligiousness* of the act, he appears still to hold out, and complains, in the following manner, of having been accused of *canting*. — “MR. COBBETT accuses

“The Morning Chronicle of canting, because it termed the disgusting verbiage with which the divorce of BUONAPARTE from his Wife, was accompanied, a Solemn Mockery of a *spiritual rite*. It surely is not canting to *respect the sacred institutions of religion*; or to say, that when a despot means to act in defiance of its most solemn ordinances, it is *con-temptible to see him exhibit the farce of whining respect for that which he is at the moment grossly violating*. There is a paper on the subject, in the Examiner of yesterday, written with the peculiar spirit of the Editor of that Journal, which shews, that in all ages, and in all countries, divorce has been treated according to the customs of the time and place. It is no more applicable to the question, to state a parallel between the manner of divorce in America, and the manner of divorce under the present constitution of France, than it would be to state a parallel between the age of Reason in that country, when the most perfect contempt for all religious forms was the order of the day, and the age of Pontifical authority, when even the Kings were forced to submit to the papal bull, and the sacramental bond of marriage could only be dissolved by the Vatican. What we alluded to, was the respect which every crowned head ought to pay to the institutions which conduce to the religion, the morals, and the happiness of his people. And as canting is in every instance a vicious and hurtful exhibition of hypocrisy, so it is most vicious and most hurtful when it is practised in the highest place.—When Mr. Cobbett asks us what we think of the facility of divorce in England, though it is foreign to the subject, we have no hesitation in saying that we consider it as a great national calamity; and think it no more a cure for the evil it professes to have in view, than we consider a sum of damages to be a compensation to any man of honour or delicacy for the loss of the *sweetest consolations of life*.”—Now, I cannot see, that this much mends the matter. To talk of “a *spiritual rite*” as something by which Buonaparté is to be bound, is quite ridiculous, when we recollect that, in speaking of him, all idea of a man of religious sentiment has been thrown aside. We represent him as having *no religion at all*; in that way it has been the constant practice to speak of him, in this country; but,

behold, now, all of a sudden, we are to inveigh against him for not being a *strict Catholic*! The truth is, we hate him; we hate him with good reason, as being a dangerous enemy; and, therefore, we seek to discover wickedness in *all* his actions; else, I am certain, that we should not have discovered any wickedness in his divorce.

—The Morning Chronicle seems to think, that there would have been less harm in the thing; or, indeed, that it would have been perfectly right, if Napoleon had complied with the *forms of the religion* that he professes; that is to say, if he had obtained the leave of the Pope to put away his old lady and take a new one. What nonsense this is! Just as if we should not, in that case, have set up a howl of pity for the poor Pope, who, we should have said, was compelled to consent to the divorce; and, in that case, we should, with good reason, have accused the Emperor with hypocrisy. —The Morning Chronicle is a little puzzled with my reference to our divorce bills, and the manner of obtaining divorces in America. He says, indeed, that he considers the facility of obtaining a divorce, in England, as “a great national calamity;” but, he says nothing at all about America, except, that her *laws and customs* are not the same as the laws and the customs in France. The municipal, the political, and the ecclesiastical laws are not the same; but, as far as any of these interfered with Napoleon’s divorce, they were set aside by the *Legislature* of France; and, I am sure Mr. Perry will not pretend, that the acts of that Legislature ought to pass for nothing, merely because it is a body in which the Emperor is *always sure to have a majority on his side*. Oh, no! Mr. Perry will not pretend, that the acts of the French Corps Legislatif are a bit the less binding for being passed by a set of men, who *always* are in a majority on the side of the crown, let who will be minister. No, no, sure! The acts of the Corps Legislatif are mighty good acts; quite sufficient for taxing and hanging; and, why should they not be sufficient to enable a man to put away his wife? —As far, therefore, as mere *law* is concerned, there can be no fault in the proceeding, unless we boldly assert, that acts passed by an assembly, a majority of whom are *always at the nod of the crown*, are not lawful acts; and this, I take it, is what we shall think of a great many times, before we shall openly assert it once. Well, then, the divorce being *according to law*, what is

there irreligious in it, *any more* than in a divorce in America? The laws of man are not the same in the two countries; but the *laws of nature* and of *morality* are the same, and must eternally be the same. Therefore, unless we are ready to condemn, as most impiously wicked, the divorce laws of America, how is it possible for us to condemn, as impious, this act of Napoleon? —I dissent from the opinion of Mr. Perry respecting the facility of obtaining divorces in England. I think, on the contrary, that the facility ought to be greater; and, I am convinced, that much of the misery, which is entailed upon so many families, in England, from adultrous intercourse, would be prevented, if, in order to obtain a divorce, it was not necessary that one of the parties should be previously convicted of criminal conversation —“A *spiritual* rite,” indeed! Why, much more, I imagine, than one half of the pairs in the United States of America have been married, or paired, if you will, by the *Justices of the Peace*, upon paying a nine-penny fee. When a couple take it into their heads to get married, they go away and call some hedge ‘Squire out of his fields, and, in five minutes, he settles the matter, takes their nine-pence, and sends them off to keep their wedding. Now, there is not much of the “*spiritual*” in this, I take it; and, yet, I believe, that the Morning Chronicle would find it very difficult to show, that this mode of marrying is not full as conformable with *divine* authority as any other mode that has been, or is, in practice. The truth is, that the laws relating to marriage, all the laws, were made by *man*; and, though it is very proper to conform to them, and, in some instances, disgraceful not to do so, the act of marrying may take almost any epithet rather than that of “*spiritual*.” —Upon the whole, therefore, I see no reason whatever to alter my opinion relative to the Divorce of the French Emperor, and I am quite impatient to see our writers cavilling at the *immorality* of this act, while they seem blind to, or, least, unmoved by, its probable *political consequences*.

AMERICAN DISPUTE. —When will this have an end? Why, distant as the connection may seem, it will, in my opinion, never end, as long as the money of the Old Lady in Threadneedle Street continues to circulate. —The eldest of my children was unborn, when this dispute began; and, if I could suppose, that the Old Lady’s money would last many years,

I should not be without hopes of being a great-grand-father before the dispute would end.—During the existence of this dispute, we have employed six Envoy's, with all their retinues; and, permanently, THREE and sometimes FIVE COMMISSIONERS.—The expence has been enormous (I will, one of these days, lay the amount before the public;) it continues to be enormous; and, which is the greatest curse of all, there have been volumes innumerable written upon the subject. There have been, including both sides, not less than from six to ten able bodied writers, and (what makes the thing more serious) most of them *lawyers*, too, hard at work for the last sixteen years. Mercy on us! what bales, what waggon-loads of tautology! Reader, would you not rather be hanged at once, than be doomed to the perusal of the correspondence, relating to this never dying dispute.—I began, in my last NUMBER, inserting the correspondence between Mr. JACKSON and Mr. SMITH; but, really, it appears, taking in its references, to have no end. They have, amongst them, written, upon this *new branch* of the dispute, as much as is contained in one of the volumes of Dr. JOHNSON'S Works; a twelfth part of as much as Dr. JOHNSON wrote in his whole life time! And, what is it about? You read for half an hour, before you come to an *idea*; and, when you have read the whole letter out, you cannot for your life tell what is, or what is not, the subject matter of it. This correspondence might be very useful to a man who was courting, and who was anxious to try, beforehand, the patience of his wife; for, if she could keep her temper to the end of this correspondence, he need never be afraid of her losing it.—But, the calamity might, perhaps, be bearable, were it to stop at the point it has now reached. This however, will not be the case. The matter will be *discussed in parliament*. Nights and nights will be wasted upon it. Papers! papers! papers! about America will be called for. Motion upon motion will be made. We shall have the solemn quibbling, the puerile trash, which we have now laid before us, served up again and again, in all manner of forms. The bare printing expences, attending this branch only of the dispute, will, I dare say, come to many hundreds of pounds in paper-money.—Since I wrote the last sentence, I have been debating with myself, whether I ought, at once, to declare, that I never will again cram up my co-

lums with matter relating to this dispute; whether I ought now to leave it totally out, as being unworthy of notice; or, whether I ought, *for this once*, to state, in a few words, what has happened since I last made any observations upon the subject. My own taste and bent are decidedly for the former; but, as some of my readers may wish to know a little of the matter, and, at the same time, may wisely resolve not to waste their time upon reading the correspondence, I think it may be as well, for this one time, to lay before them the substance of it; to pick the "two grains" of wheat out of this bushel of chaff." But, this must be postponed to my next number; matter of much more importance presents itself, with claim irresistible to all the space that I have left.

LONDON COMMON HALL.—In page 983 of the foregoing volume of the Register, will be found the Address and Petition of the Common Council, and the King's Answer thereunto.—A few days after that Address and Petition was agreed to, another was agreed to by the Livery in Common Hall assembled. This paper the Lord Mayor and Sheriffs pledged themselves to deliver *to the king in person*, unless they were positively refused that honour, an honour to which they held the City to be entitled.—They were refused; and, on Tuesday last, the 9th instant, a Common Hall was assembled to receive their Report, relative to the business.—The Report of the Lord Mayor and Sheriffs was, in substance, as follows:

SHERIFF'S REPORT.

"That in consequence of the Resolution of the Common Hall of the 14th ult. ordering the Petition to be presented by the Lord Mayor and Sheriffs, the City Remembrancer had waited upon the Secretary of State, to know when it would be his Majesty's pleasure to receive the Petition, stating a wish at the same time to be allowed to present it at the next Levee. The Secretary said he would consult his Majesty; and communicated to the Lord Mayor and Sheriffs at the following Levee, that it was his Majesty's pleasure that their Petition should be delivered at the Secretary of State's Office, his Majesty having for the last four years discontinued public levees, on account of the defective condition of his eye sight. The Lord Mayor and Sheriffs offered to present it at the private levee, when they presented the Common Council Petition;

but they were not permitted, and the Secretary offered to take it and save them the trouble of calling at his office. They read to him the Resolution of the Common Hall, and informed him, that they could not present it except to his Majesty personally. The Sheriffs afterwards waited upon the Secretary of State at Whitehall; and Mr. Sheriff Wood requested that he would apply to his Majesty for a private audience for the Sheriffs. The Secretary thought he could not do this—his Majesty having already signified his pleasure. In consequence of this situation of affairs, the Sheriffs had thought it proper to report to a Common Hall, and to crave further instructions."

When this Report had been read, Mr. FAVELL, who appears to be a very able as well as public-spirited man, proposed, at the end of a speech of some length, a set of Resolutions, one of which, as will be seen, provided for the publication of the original Address and Petition.—These Resolutions, which I am now about to insert along with the Address and Petition, were seconded, in a very neat and conspicuous Speech, by Mr. JONES.

RESOLUTIONS OF 9th JAN. 1810.

SMITH, MAYOR.

In a Meeting or Assembly of the Mayor, Aldermen, and Liverymen of the several Companies of the City of London, in Common Hall assembled, at the Guild-hall of the said City, on Tuesday, the 9th day of January, 1810.

Resolved unanimously,

1. That it is the undoubted right of the Lord Mayor, Aldermen, and Livery of the City of London, to present their Petitions to the King sitting upon his Throne; that out of personal feelings towards their Sovereign they did, at the last Common Hall, waive the exercise of this right.

2. Resolved unanimously—That it appears that the Secretary of State informed the Sheriffs, that the Petition of the Livery could be received only through his Office; that they have been denied not only the usual access to his Majesty, by a personal audience, but the undoubted right of presenting the same when they had actual access to his Majesty at the Levee, where they attended to present, and did present, a Petition from the Court of Common Council.

3. Resolved unanimously—That such denial is not only subversive of the Rights of the Livery, but a flagrant violation of the Right of Petitioning, claimed, demanded, and insisted upon, and confirmed to them by the Bill of Rights.

4. Resolved unanimously—That all complaints of the misconduct and incapacity of his Majesty's Servants are most likely to be nugatory, if such complaints must pass through the hands of those very Servants, and the People can have no security that their complaints are heard.

5. Resolved—That whoever advised his Majesty not to receive the Petition of the Livery in the accustomed and established mode, have committed a scandalous breach of their duty, violated one of the first principles of the Constitution, and abused the confidence of their Sovereign.

6. Resolved unanimously—That this Common Hall, disregarding all attempts and designs of interested and corrupt hirelings, who derive emoluments from the national burthens, to impute unworthy and disloyal motives to those who resist unprincipled and dangerous encroachments upon their established rights, are determined, to the utmost of their power, to maintain them against those evil Counsellors, who have thus raised a barrier between the King and the People, and thereby prevented their just complaints from reaching the royal ear.

7. Resolved—That the following Instructions be given to our Representatives in Parliament:—

Gentlemen—You are hereby instructed to move in the House of Commons (or support such motion if moved), for an humble Address to his Majesty, praying for an immediate and rigid Inquiry into the cause of the unexampled failures and disasters which have attended our late Expeditions to Spain, Portugal, and Holland, whereby the blood and treasure of the country have been shamefully sacrificed, without rendering any effectual assistance to our allies, checking the progress of the enemy, or tending to the glory or security of his Majesty's Crown and Dominions. You are also instructed to support all motions which have for their object Inquiry into the violation of the rights of petitioning—into the wasteful expenditure of the public money—the correction of public abuses—the abolition of all unnecessary places and pensions—the shortening of the duration of Parliaments, and restoring them to their constitutional purity and in-

dependence, as the only means of retrieving our public affairs, and enabling this country successfully to contend against surrounding nations.

8. Resolved unanimously—That the Sheriffs, attended by Mr. Remembrancer, do forthwith wait upon his Majesty, and deliver into his Majesty's hand, in the name of the Lord Mayor, Aldermen, and Livery of London, a fair copy of the foregoing Resolutions, signed by the Town Clerk.

9. Resolved unanimously—That the Thanks of this Meeting be given to the Right Hon. the Lord Mayor, for his independent behaviour upon all occasions, and particularly for his conduct this day.

10. Resolved unanimously—That the Thanks of this meeting be given to Sheriff Wood, for his general conduct, and for his having requested an audience of his Majesty, agreeable to the Instructions of this Hall.

Resolved unanimously—That the Resolutions of this day, together with the Petition agreed upon on the 14th day of December last, be signed by the Town Clerk, and published in the usual Morning and Evening Papers. WOODTHORPE.

ADDRESS AND PETITION of 14th Dec. 1809.

To the King's most excellent Majesty.
The humble and dutiful Address and Petition of the Lord Mayor, Aldermen, and Livery, of the City of London, in Common Hall assembled:

Most Gracious Sovereign,

WE your Majesty's most dutiful and loyal Subjects, the Lord Mayor, Aldermen, and Livery, of the City of London, in Common Hall assembled, most humbly approach your Majesty, at this awful crisis, to exercise a duty no less painful than impious.

It is to represent with humility to your Majesty the present deplorable situation of public affairs, that we have again approached your Royal Person.

Attached to your Majesty's illustrious house, from affection and from duty, we should ill demonstrate the sincerity of our loyalty, were we to conceal from your Majesty, that it is not amongst the least considerable of our grievances, that attempts should have been made to brand your Majesty's faithful subjects with disaffection to your person and government, whenever they have exercised their indubitable right to complain of gross

abuses in the State, or to attribute the disgraceful failure of expensive and calamitous enterprises, to the ignorance and incapacity of those, who either planned, or executed them; as if infallibility were the appendage of office, and belongs of right to those who may be called into your Majesty's councils.

With equal grief and indignation we have seen the disastrous result of various Expeditions, in which your Majesty's armies have been unhappily engaged, and which most forcibly mark the disgraceful imbecility of those distracted councils, which have so scandalously lavished the blood and treasure of a patient, loyal, and burthened people.

Towards the close of the preceding year, your faithful Citizens humbly expressed to your Majesty their deep concern and disappointment at the disgraceful Convention of Cintra; but we have yet to deplore, that due and efficient inquiry has not been made into that disgraceful transaction.

It is equally painful to call to your Majesty's recollection the melancholy fate of a second army assembled within the Peninsula, under the gallant commander Sir John Moore—ignorant alike of the state and disposition of the Spaniards, and the force and designs of the enemy, this army being sent into the interior of Spain, was in imminent danger of being captured; in this critical emergency and state of agonising perplexity, abandoned to his own resources, this hapless, but meritorious Officer at length discovered that he had no safety but in flight; with the loss of his ammunition, horses, specie, and baggage, and harassed and assailed on all sides, he secured the retreat of the remains of his gallant followers by the sacrifice of his own invaluable life.

Deriving no benefit from experience, a third well-appointed army, under the command of Sir Arthur Wellesley, was hurried into the interior of Spain, alike ignorant of the force and movements of the enemy, where, after an unprofitable display of British valour, and a dreadful slaughter, this army, like the former, was compelled to seek its safety by a precipitate retreat, before (what we were led to believe) a vanquished foe, leaving thousands of our sick and wounded countrymen in the hands of the enemy.

This loss, like others, has passed without inquiry, and as if impunity had placed the Servants of the Crown above the reach



of justice, your Majesty has been advised to confer titles of honourable distinction on the General, who had thus exhibited a rash and ostentatious display of unprofitable bravery.

After these multiplied errors, and in defiance of reiterated experience, we have seen another Expedition yet more expensive, more disgraceful, and more calamitous than the former. This Armament, delayed until the fate of Austria was decided, landed on the unwholesome shores of the Scheldt, where, after an unaccountable state of inaction, thousands of our brave soldiers have miserably and ingloriously perished, by pestilence, privation and disease, without having accomplished one national object. On such an Expedition, planned and conducted by a Minister, who it is now known had been pronounced unfit for his Office by his Colleagues—an Expedition that touches all minds with shame, and fills all hearts with agony, it is too painful to dilate.

We cannot refrain from representing to your Majesty, that while the affairs of the nation have been so shamefully misconducted abroad, the most scandalous waste, profusion and mismanagement, has prevailed at home; and your Majesty's confidential Advisers, destitute of all those qualities essential to good government, and regardless alike of the sufferings of the People, and of the honour of their Sovereign, and insensible or indifferent to the surrounding dangers, and the impending fate of the Country, have been engaged in the most disgraceful squabbles, intrigues and cabals, that ever degraded the Councils of any Nation, and which cannot but be as disreputable to your Majesty's Government, as they are ruinous and dishonourable to the Country.

While we disclaim all interest in the views of contending parties, from a firm conviction that we cannot look for a reformation in the abuses of the State, from any persons or parties interested in the preservation of them; we cannot but express our ardent hope that your Majesty will be more fortunate in the choice of the men to whom you may hereafter confide the conduct of affairs; and that your councils will be no longer embarrassed, nor the country insulted and dishonoured by those disgraceful occurrences, which, while they have exposed us to the ridicule of surrounding nations, may embolden the enemy to look forward with confidence to the subjugation of a nation so distracted

in her councils, and so improvidently governed.

That while we forbear enumerating a long train of internal grievances, we cannot but attribute such a series of failures and disasters to the abuses and corruptions of the state, and the consequent want of a constitutional controul over the public expenditure, and the servants of the Crown, whereby the responsibility of Ministers appears to exist only in name.

We therefore humbly pray your Majesty will be graciously pleased to assure your loyal and affectionate people, that the object to which their wishes are directed, is neither to be abandoned or deluded; and that your Majesty will be pleased to institute a rigid, impartial, and general inquiry, into these great national misfortunes; into the plans upon which these Expeditions were undertaken; and into the conduct of the Commanders to whom they were intrusted.

Signed by Order, HENRY WOODTHORPE.

It will be seen, that one of the Resolutions orders a copy of the Resolutions themselves to be *delivered into the king's hand*, by the Sheriff, accompanied by the Remembrancer. So that, the City of London is, at last, resolved, it appears, to shew, that the blood of Englishmen has not quite departed from their veins.—I have not time, or room, to make any remarks upon the debates at the Common Hall; nor is it necessary, the result speaks better than any thing else could. I cannot, however, refrain from particularly noticing a short speech of Mr. SHERIFF WOOD, upon the passing of the vote of thanks to him.—“He declared that nothing could be more gratifying to him than the vote which had just passed. “He came into the Corporation with the express determination of doing his duty, and he hoped he should uniformly act up to this determination. Justice to himself, however, and to their cause, required that he should explain the way in which he had acted. Some persons had found it convenient for themselves to misrepresent the conduct which he either had pursued, or might be supposed to be ready to pursue. He had been represented as ready, on the first favourable opportunity, to rush into the presence of his Sovereign, and to insult him. This, he need only say, was never in his contemplation. While the Corporation was at the Palace, he confessed that

"he did particularly request of the Lord Mayor to urge the reception of the Address of the Livery. He was not then, however, the first person. Now he observed, by the Resolution of the present Meeting, that he was the first person, and he assured them that he should do every thing in his power to effect the object committed to his care. The persons who had so misrepresented him were conscious of guilt in themselves. They would tell you, if you wished for redress of grievances, that you insulted his Majesty. They were enemies to true liberty. But he assured the Livery, that no exertion on his part should be wanting, notwithstanding their impediments, to reach the Royal ear."—It is truly heart-cheering to hear language like this applauded in that place, where for so many, many years, nothing met with applause but the basest of court-flattery, the vilest subserviency to every succeeding minister, be his principles, or his measures, what they might. What a change, and in so short a space of time! This does give one some hopes, that the country, in the hour of her trial will not want for hearts to defend her.

INDIA.—What! an open rebellion in that country, in which a large part of the army is taking a share! Thus says the Morning Chronicle of the 10th instant:—"We understand that official dispatches have been received, both by Government and by the Court of Directors, dated from Ceylon, in the end of August, and from the Cape, in the middle of October, which agree in announcing, that the whole native army on the Madras Establishment, was in a state of open mutiny and revolt. The mutineers had taken possession of many important places, among which Hyderabad and Seringapatam are particularly named. The last-mentioned place was their principal station.—Lord Minto had arrived at Madras, having left Calcutta, to restore tranquillity by his presence, before matters came to this extremity. The King's troops, to the amount of eleven thousand men, had taken the field against the insurgents. General Maitland had sent a strong corps from Ceylon to co-operate, and two regiments had already left the Cape for the same destination."—The STATESMAN thinks, that this is the most awful event that has happened since the mutiny in the fleet. I am very far indeed from entertaining

any such opinion. I would rather hear of all India being wrested from us, than hear of a commotion in one single county of Ireland.—As a matter of curiosity merely, I shall, in my next, endeavour to give a clear analysis of the accounts that have come to hand respecting this rebellion.—In the meanwhile, I beseech my readers to be under no apprehension at all as to the consequences that it may produce to us, the people of England.

WM. COBBETT.

Botley, 11th Jan. 1810.

COBBETT'S Parliamentary Debates:

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The numerous Subscribers to the above Work are respectfully informed, that the Sixth Volume, embracing the period from the Accession of Queen Anne, in 1702, to the Accession of King George the First, in 1714, will be published in March next.

CATHOLIC CLAIMS.

SIR;—In your last Number you tell us that you will not publish any long letters which you may receive upon the Catholic Claims. I conclude, from your expression, that you do not object to publish short ones, and such as do not over-lay their sub-

ject. should there be any imagination his of persons to y subject particip assen mean Artic land. The " of " sub " rat " oth who the oath Major perma caus neve those the shou whic earn the men And peat have than —It Reg lic a and restr is fa whic they the man of t of a refu own ther con first mili " at Suc by exp reli

ject. From that Number I learn, what I should not otherwise have suspected, that there are still persons weak enough to imagine that the King is precluded, by his oath, from assenting to the admission of Catholics into parliament. To such persons, give me leave to say, in addition to your own forcible arguments on the subject, that the King has already, by anticipation, proclaimed to the nation his assent to the measure. For what other meaning but this can be affixed to the 4th Article of the Legislative Union with Ireland, solemnly sanctioned by his Majesty? The words of the Act are, "The members of the United Parliament shall take and subscribe the usual oaths and declarations until the said Parliament shall otherwise provide." Why did not those who are said to have suggested scruples to the King about the abrogation of those oaths, tell him, in the first instance: Your Majesty's conscience and honour do not permit you to sanction this Article, because you, and, of course, parliament, never can provide for the alteration of those tests? But, Sir, it was necessary, at the time of the Union, that his Majesty should appear to confirm those promises which his ministers so repeatedly and earnestly made to Catholics concerning the loosing of their chains as an inducement to them to concur in the measure. And it is an undoubted fact, that the repeated breaches of faith, in their regard, have contributed more to their discontent than their actual disabilities and sufferings.—It appears, Sir, from one of your former Registers, that you, no less than the public at large, imagine that Catholic soldiers and sailors are under no persecution or restraint in the article of religion. This is far from being the case, as the ease which they enjoy, or the restraint which they suffer in this respect, depends upon the character or caprice of their Commanding Officers, and the varying temper of the War-office. Commanding Officers of an intolerant or churlish disposition, in refusing soldiers permission to attend their own place of worship, and in obliging them to attend another, contrary to their consciences, shelter themselves under the first Article of War, which requires all military men to "attend Divine Worship at the place appointed for this purpose." Such is the case even in Ireland, where, by the Act of 1793, Catholic soldiers are expressly allowed the exercise of their religion. In every other part of the Bri-

tish empire they are, and they generally feel that they are, out of the protection of the law in this respect. I can confirm this from my own certain knowledge: for, having sent up a petition to the Commander in Chief, on behalf of the Catholic soldiers, then in garrison at Winchester, praying that they might be allowed to attend their own place of worship on Sundays, when not upon military duty; his Royal Highness returned me for answer, through a liberal Secretary at War, well known to you, Sir, and to me, that he was "not authorized by law to grant the petition." I have reason to believe, that it was more to relieve the consciences and to conciliate the affections of 200,000 brave fellows who are fighting the battles of this country, by sea and land, than to obtain commissions for two score of gentlemen, that Lord Howick brought in his memorable bill, which was attended with such important consequences. You have painted, with your usual glow of colouring, the consequences of an invasion of Ireland at the present time; but you have not taken into consideration the effect of those placards of Liberty of Conscience with which the invading general would as certainly be furnished as with powder and ball, or the feelings in your navy and army which would be the too probable consequence of a slight impression upon Ireland.—Will it be believed, Sir, that the spirit of No Popery has followed the Catholic soldiery into the heart of Portugal and Spain? Whilst the troops (one full half of whom were Irish Catholics) remained in the neighbourhood of Lisbon, they were not molested on the score of religion, and half a dozen English or Irish priests, who ventured their lives in the charitable employment, were allowed to attend the sick in the hospitals and convents of that city. But the case was otherwise when orders were issued to march forward into the country and into Spain. The presidents of the English and Irish colleges of Lisbon, Messrs. Buckley and Crotty, presented a petition to Sir John Moore, requesting that the above-mentioned priests (all of whom are now in England to verify the facts) might be permitted to attend those of their own religion, particularly the sick and wounded; asking for no allowance for them, but common rations; and, to remove all jealousy on the part of the dean, so called, and the chaplains, whom the ministry sent out in greater numbers than heretofore to

counteract the Popish infection of the country, offering that they should attend the army in the capacity of interpreters. In fact, what services might not these priests have rendered to the common cause! To be brief; Sir John Moore, on his part, expressed the highest admiration of the heroism of these good men, and his sense of the important benefits to be expected from them; but he said, his hands were tied up, and that he could not accept of the proposal without the consent of his staff and of the chaplains. Their voices were understood to be all averse to the measure, except that of General Stewart; and the fact, of course, became known, not only to the Irish Catholics, but also to the Portuguese and Spaniards. I must not forget a fact mentioned by one of the chaplains, the Rev. Mr. Ormsby, in his late publication, that the conduct of a great part of our army in Spain was such as "to confirm the inhabitants in their absurd notion, that the English are not Christians." Can we be surprized, after this, at the coolness, or rather the aversion, of our allies in regard to our troops? The fact is, these religious or bigotted people, call them which you please, considered it as only a choice of evils between receiving the English and the French amongst them.—The emancipation, Sir, must come very soon: God grant it may not come too late! Whenever it does take place, let the promoters of it refrain from those useless teasing measures, the mixed produce of bigotry and liberality, which will have no other effect than to make the Irish hesitate about a choice of evils between No Popery and the Talents, and to render their discontent greater than ever.

W. Jan. 2.

Yours, J. M.

OFFICIAL PAPERS.

AMERICAN DISPUTE.—*Correspondence, between Mr. R. SMITH, the American Secretary of State, and Mr. F. J. JACKSON, the English Envoy.*

MR. SMITH TO MR. JACKSON.

(Continued from p. 32.)

Is any thing more common in public negotiations than to begin with a higher demand, and, that failing, to descend to a lower? To have, if not two sets of instructions, two, or more than two grades of propositions in the same set of instructions, to begin with what is the most desirable, and to end with what is found to be admissible

in case the more desirable should not be attainable. This must be obvious to every understanding, and it is confirmed by universal experience.—What were the real and entire instructions given to your predecessor is a question essentially between him and his Government. That he had, or, at least, that he believed he had sufficient authority to conclude the arrangement, his formal assurances, during our discussions, were such as to leave no room for doubt. His subsequent letter of the 15th June renewing his assurance to me, "that the terms of the agreement so happily concluded by the recent negotiation will be strictly fulfilled on the part of his Majesty," is an evident indication of what his persuasion then was as to his instructions. And with a view to show what his impressions have been even since the disavowal, I must take the liberty of referring you to the annexed extracts (see c) from his official letters of the 31st July and of the 14th of August.—The declaration "that the dispatch from Mr. Canning to Mr. Erskine, of the 23rd January, is the only dispatch by which the conditions were prescribed to Mr. Erskine for the conclusion of an arrangement on the matter to which it relates," is now, for the first time, made to this Government. And I need hardly add, that if that dispatch had been communicated at the time of the arrangement, or if it had been known that the propositions contained in it, and which were at first presented by Mr. Erskine, were the only ones on which he was authorized to make an arrangement, the arrangement would not have been made.—As you have disclaimed any authority to offer explanations for the disavowal, as you have been willing to ascribe the want of such authority to the consideration that other channels had been preferred, and as you have even considered the circumstances under which the arrangement took place to be such as could only lead to a disavowal, and therefore as superseding the necessity of any explanation whatever, it is to be regretted, that you had not deemed it proper to render precise and explicit, that part of your letter which seems to imply that you had in our conversations, in relation to the affair of the Chesapeake, following the words of your instructions, held out not only the manner in which the reparation had been accepted, but even the form in which it had been tendered, as warranting his Majesty in even retracting the offer of reparation,

and that you had elucidated the observation by a reference to the particular expressions, which, at all events, put it totally out of his power to confirm any act containing them.—Whatever may have been your intention in this part of our conversation, or whatever may be the import of the passage to which I have just alluded, I have now the honour of signifying to you, that I am authorised to receive in a proper form whatever explicit explanations you may chuse to make with respect to the grounds of this part of the disavowal; and without inquiring whether your authority be derived from instructions that have been addressed to yourself, or that have devolved on you as the successor of the Minister who had declined to execute them.—(As you have, at the same time, been pleased to say, that his Britannic Majesty had authorized you to renew the offer of satisfaction which Mr. Erskine was instructed to make, it was also naturally expected that you would in your letter have stated with precision in what that offer differed from the reparation solemnly tendered by Mr. Erskine, and accepted by the United States, and that you would have shewn in what the reparation thus tendered differed from his instructions. And when I had the honour to intimate that order to avoid the misconceptions incident to oral proceedings, it was thought expedient that our further discussion on the present occasion should be, in the written form, there was no part of the subject to which that intimation applied with more force than the case of the Chesapeake; none of which it was more desirable to avoid misconceptions, and obtain a precise knowledge of the propositions which you were authorised to make, not only because I did not really understand the particulars of the offer as distinctly as you seem to have supposed, but also because, on that point, and on that alone, you had expressly stated that you had propositions to make, and that you were authorised to carry them into immediate execution.—On the subject of the Orders in Council, the President perceives with sentiments of deep regret, that your instructions contemplate neither an explanation of the refusal of your Government to fulfil the arrangement of that branch of the existing differences, nor the substitution of any other plan of adjustment, nor any authority to conclude any agreement on that subject; but merely to receive and discuss proposals that might be made

to you on the part of the United States; and these it appears must include a stipulation on the part of the United States to relinquish the trade with the enemies Colonies, even in branches not hitherto interrupted by British Orders for capture; and also a sanction to the enforcing of an Act of Congress by the British Navy.—Were the way properly opened for formal propositions from this Government, a known determination on the part of his Britannic Majesty to adhere to such extraordinary pretensions, would preclude the hope of success in such advances, whether regard be had to the conditions themselves, or to the disposition they indicate, in return for the conciliatory temper which has been evinced by the United States.—As to the demand in relation to the colonial trade, it has been the less apprehended, as it is not in itself connected, nor has it ever before been brought into connection, either with the case of the Orders in Council or with that of the Chesapeake. And it was reasonably to be presumed, if the idea of such a condition had in the first instance proceeded from the erroneous belief that it was not objectionable to the United States, that it would not have been persisted in after that error had been ascertained and acknowledged.—The other demand could still less have been apprehended. Besides the inevitable and incalculable abuses incident to such a license to foreign cruizers, the stipulation would touch one of those vital principles of sovereignty which no nation ought to have been expected to impair. For where would be the difference in principle between authorising a Foreign Government to execute, and authorising it to make laws for us? Nor ought it to be supposed that the sanctions and precautions of a law of the United States in the cases of the prohibited trade in question, would prove inefficacious for its purposes.—Had none of these obstacles presented themselves to the course corresponding with the sentiments and dispositions of the President, I should have felt great pleasure in giving you formal assurances of his readiness to execute the conditional authority with which he is invested, for restoring in its full extent, as far as it may depend on the United States, the commercial intercourse of the two countries, and that he would moreover be disposed to extend the experiment of a friendly negotiation to every point of difference and of mutual interest between them. If indeed, in the event of a success-

ful termination of what relates to the case of the Chesapeake, it be thought that a removal of the difficulties arising from the Orders in Council might be facilitated by comprehending them in a general negotiation, and the operation of the Orders can in the mean time be suspended, the door might be considered as immediately open to that course of proceeding.—To such a suspension no reasonable objection can be made, if, as you have stated, the Orders in Council, as now modified, leave the trade of the United States nearly as great as it would be without the existence of such Orders, so long as France and the other Powers shall continue their Decrees, and inasmuch as a discontinuance of their Decree by those Powers confessedly requires an immediate and intire revocation of the Orders in Council.—That a suspension of the Orders, with a view to their being brought into a general negotiation, is more reasonable than a temporary submission to their authority by the United States with that view, is obvious from the reflection that such a submission would necessarily involve a relinquishment of the principle which they have stedfastly asserted, whereas a discontinuance of the Orders in Council, in the present actual state of things, would not be incompatible with the principles on which they were originally founded.—This principle was, as you well know, the necessity of retaliating, through neutrals, injuries received through a violation of their rights by another Belligerent. In the actual state of things, and under the actual modification of the Orders in Council produced by it, it is admitted by you, that the Orders have no practical effect in abridging the commerce of neutrals, and can, of course, have no retaliating effect on the other Belligerents.—Although it cannot be allowed to be true that the Orders in Council are no longer injurious to the commerce of the United States, it is certainly true that they produce no degree of injury to the enemies of Great Britain that can countenance the retaliating plea alledged in support of them.—What, permit me to ask, is the degree of injury actually accruing to the enemies of Great Britain from her retaliating Orders? According to those Orders, as now modified, and more especially taking into view along with them the prohibitory law of this country in relation to France, the essential difference between their repeal and their existence consists in this—that in the case of their repeal, as

pledged by the arrangement of April, the trade of the United States might be carried on directly with the ports of Holland, whilst during their existence, as at present, it is to be carried on through the contiguous and neighbouring ports. To your own calculations, Sir, I submit, whether the inconsiderable effect of this circuit on the prices in Holland, and in the countries supplied through her, can any longer sustain the plea of inflicting distress on an enemy, or palliate the injuries done to a friend by a proceeding so contrary to his sentiments of justice, and which subject his regular commerce not only to inconvenient channels, but to all the abuses which may result from the suspicions, real or pretended, of interested cruizers. You cannot but be sensible, that a perseverance under such circumstances in a system which cannot longer be explained by its avowed object, would force an explanation by some object not avowed. What object might be considered as best explaining it, is an inquiry into which I do not permit myself to enter, further than to remark, that in relation to the United States, it must be an illegitimate object.—It remains to make a few observations which are due to the just interests of the United States, and which are invited by yours relating to the Orders in Council of May last.—You seem to consider that measure as comprising the utmost precaution that was in the power of his Britannic Majesty to take, for preventing losses, from his disavowal of the engagement of your predecessor, to citizens of the United States, who had resumed their commercial pursuits on the faith of that act.—Without entering into a full view of the inadequacy of the Order in that respect, I take the liberty of pointing out the following instances in which it falls essentially short of its declared intention.—1. The Order does not provide for the important case of vessels returning with cargoes from the ports of Holland.—2. The exemption from interruption of vessels bound from the United States to Holland was restricted by that Order to such as should have departed prior to the 20th of July, at which date it is not certain that the Order, which was not officially communicated until the 31st of that month, had even reached any one point of the United States. So that some vessels may have sailed between the limited date and the arrival of the Order in the United States, and many from distant ports must have done so after its arrival,

but before a knowledge of it had become general; all proceeding on the faith of the arrangement, yet all left by the Order exposed to capture and condemnation.—3. The Order does not provide for the important case of vessels which had sailed on the like faith for Dutch ports other than those of Holland.—4. It does not include in its provisions the extensive list of vessels going indirectly from the United States, but directly from foreign ports to those of Holland, nor vessels trading entirely from foreign ports to Holland; and in both these instances proceeding on the faith of the arrangement professed to be respected within the defined period.—It is true, in these last instances the vessels were not to be captured without an attempt, after contrary warning, to proceed to those ports. But I need not remind you that the injuries incident to the delay and to the breaking up of such voyages cannot but have been considerable, and will have resulted as manifestly from the disappointed faith in the arrangement, as in the cases specially provided for, and consequently with all other losses fairly resulting from the same *bona fide* confidence in that act, they will fall within the just indemnification for which the principle, assumed in the Order, is a formal pledge.—I conclude, Sir, with pressing upon your candid attention, that the least which the President could have looked for in consequence of the disavowal of a transaction such as was concluded by your predecessor, and carried faithfully into effect by this Government, was an explanation from yours of the disavowal, not through the Minister disavowed, but through his successor—an explanation founded on reasons strong and solid in themselves, and presented, neither verbally, nor vaguely, but in a form comporting with the occasion, and with the respect due to the character and to the good faith of the disappointed party; that it has been found with much concern and with not less surprise, that you are charged with no such explanations; that you have apparently wished to bring the subjects which have been formally and definitively arranged into fresh negotiations, as if no such arrangement had taken place; that one of the cases thus slighted, viz. that of the frigate *Chesapeake*, is a case for which reparation, not denied to be due, had been previously so long withheld, or rather in which the aggression itself has been spun out to the present moment, by the continued detention of the mariners,

whose seizure making a part of the original hostility committed against the American frigate, must be regarded in a light analogous to a continued detention of the ship itself; that in the other case, viz. that of the Orders in Council, you are not authorized to tender explanations for the disavowal, or to propose any new arrangement, nor to conclude any agreement, but solely to receive and discuss propositions which might be made to you, not concealing, at the same time, that, to be satisfactory, they must include two conditions, both inadmissible—one altogether irrelevant to the subject, and the other requiring nothing less than a surrender of an unalienable function of the national sovereignty.—Notwithstanding these repulsive considerations, such is the disposition of the President to facilitate a final and comprehensive accommodation between the two nations, that he is ready, as I have already had the honour of signifying to you, to favour any mode of bringing about so happy an event that may be found consistent with the honour and the essential interest of the United States.

NOTES REFERRED TO IN MR. SMITH'S SECOND LETTER TO MR. JACKSON.

(A.)

Extract of a Letter from Mr. Pinkney to Mr. Canning, dated London, Oct. 10, 1808.

At our first interview (on the 29th June) verbal communication was not discountenanced, but commended; for, after I had made myself understood as to the purpose for which the interview had been requested, you asked me if I thought of taking a more formal course; but immediately added, that you presumed I did not, for that the course I had adopted was well suited to the occasion. My reply was in substance, that the freedom of conversation was better adapted to our subject, and more likely to conduct us to an advantageous conclusion, than the constraint and formality of written intercourse, and that I had not intended to present a note. At the second interview (on the 22nd July) it did not occur to me that I had any reason to conclude, and certainly I did not conclude, that verbal communication had not continued to be acceptable as a preparatory course, and it was not until the third interview (on the 29th July) that it was rejected as inadmissible.

(B.)

From Mr. Canning to Mr. Pinkney, dated November 22, 1808.

It is highly probable that I did not (as you say I did not) assign to you as the motive of the wish which I then expressed, my persuasion, that written communications are less liable to mistake than verbal ones; because that consideration is sufficiently obvious, and because the whole course and practice of office is, in that respect, so established and invariable, that I really could not have supposed the assignment of any specific motive to be necessary to account for my requiring a written statement of your proposals, previous to my returning an official answer to them.—I had taken for granted all along, that such would, and such must, be the ultimate proceeding on your part, however you might wish to prepare the way for it by preliminary conversations.

(C.)

Extract of a Letter from Mr. Erskine to Mr. Smith, dated Washington, July 31, 1809.

Neither the present time nor the occasion will afford me a favourable opportunity for explaining to you the grounds and reasons upon which I conceived I had conformed to his Majesty's wishes; and to the spirit, at least, of my instructions upon that subject; nor indeed would any vindication of my conduct (whatever I may have to offer) be of any importance, further than as it might tend to shew that no intention existed on my part to practise any deception towards the Government of the United States.

From the Same to the Same, dated Aug. 14.

Under these circumstances, therefore, finding that I could not obtain the recognitions specified in Mr. Canning's dispatch of the 23rd of January (which formed but one part of his instructions to me), in the formal manner required, I considered that it would be in vain to lay before the Government of the United States the dispatch in question, which I was at liberty to have done *in extenso*, had I thought proper. But as I had such strong grounds for believing that the object of his Majesty's Government could be attained, though in a different manner, and the spirit, at least, of my several letters of instruction be fully

complied with, I felt a thorough conviction upon my mind, that I should be acting in conformity with his Majesty's wishes, and accordingly concluded the late provisional agreement on his Majesty's behalf with the Government of the United States.—The disavowal by his Majesty is a painful proof to me that I had formed an erroneous judgment of his Majesty's views and the intention of my instructions; and I have most severely to lament that an act of mine (though unintentionally) should produce any embarrassment in the relations between the two countries.

MR. JACKSON TO MR. SMITH.

Washington, October 23, 1809.

Sir; The letter, which you did me the honour to address to me on the 19th instant, was delivered to me on the following day. I shall without loss of time, transmit it to my Court, where the various and important considerations which it embraces will receive the attention due to them. In the interval, I would beg leave to submit to you the following observations, as they arise out of the communications that have already occurred between us.—In fulfilling a duty which I conceive to be due to my public character, I have never suggested, nor mean to suggest, that the mode of negotiating prescribed by you, on this particular occasion, an occasion selected for the purpose of removing existing differences, was otherwise objectionable, than as it appeared to me to be less calculated, than it does to you, to answer the professed purpose of our negotiation.—It was against the general principle of debarring a Foreign Minister, in the short space of one week after his arrival, and without any previous misunderstanding with him, from all personal intercourse, that I thought it right to protest. Since, however, I find by your letter, that it is not intended to apply that principle to me, I will only observe, that in the case which you mention to have occurred between Mr. Canning, and Mr. Pinkney, the conferences were held, under an expectation, at least, on the part of the former, of their leading to a written communication; whereas, in ours, I, from the beginning, stated that I had no such communication to make.

(To be continued.)